

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

ORIGINAL
FILE

In re Applications of)	MM DOCKET No. 92-183
)	
WESTERN INSPIRATIONAL BROADCASTERS,)	File No. BPED-910923MF
INC.)	
)	
BROAD SPECTRUM COMMUNICATIONS, INC.)	File No. BPH-910925ME
)	
PHOENIX BROADCASTING, INC.)	File No. BPH-910926ME
)	
NINETY-TWO SEVEN, LTD.)	File No. BPH-910926MF
)	
For Construction Permit for New)	
FM Broadcast Station on Channel)	
224A at Chico, California)	

RECEIVED

SEP - 8 1992

TO: Honorable Edward J. Kuhlmann
Administrative Law Judge

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

NOTICE OF APPEARANCE

Phoenix Broadcasting, Inc. (Phoenix), by its attorney,
and pursuant to Section 1.221 of the Commission's Rules,
hereby respectfully enters its appearance in the above-
entitled matter.

At the outset, the Commission and the parties are
respectfully requested to amend their records to reflect the
new mailing address, telephone and tele-copier numbers for
the undersigned (an FCC Form 208 is attached hereto):

Dennis J. Kelly
CORDON AND KELLY
Post Office Box 6648
Annapolis, MD 21401
Telephone: 410-280-6290
Telecopier: 410-626-1794

The presiding Judge is respectfully informed that the
parties to the above-captioned case have reached two separate

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settlement agreements which, if approved by your Honor, will allow for the "global" settlement of the case: (1)Western Inspirational Broadcasters, Inc. would dismiss its application for cash consideration to the extent of its provable expenses reasonably and prudently incurred in the preparation, filing and prosecution of its application; and (2)Phoenix, Broad Spectrum Communications, Inc. and Ninety-Two Seven, Ltd. have agreed to merge into a new entity, Chico FM, Inc., to be owned equally by them, with Chico FM, Inc. becoming the permittee at Chico.

By the close of business on September 8, 1992, the following additional pleadings will have been filed with the Secretary of the Commission:

(1)a "Joint Request for Approval of Settlement" containing the settlement agreements, amendment to the Phoenix application to effectuate the terms of the settlement agreements, and Section 73.3525 declarations of the parties;

(2)a "Motion for Suspension of Procedural Dates";

(3)a "Motion for Leave to Amend" by Phoenix to submit an amendment called for by paragraph 3 of the Hearing Designation Order;

(4)a "Motion to Delete Contingent Environmental Issue" by Phoenix; and

(5)a "Motion for Refund of Hearing Fees" filed pursuant

to Section 1.1111(c)(4) of the Commission's Rules and directed to the Office of the Managing Director.

In the event that this global settlement is not approved, Phoenix will appear at the hearing in this case and adduce evidence on all hearing issues specified therein.

Respectfully submitted,

PHOENIX BROADCASTING, INC.

CORDON AND KELLY
Post Office Box 6648
Annapolis, MD 21401

By

A handwritten signature in dark ink, appearing to read "D. Kelly", is written over a horizontal line.

Dennis J. Kelly
Its Attorney

September 8, 1992

Federal Communications Commission



Washington, D. C. 20554

CHANGE IN OFFICIAL MAILING ADDRESS FOR DOCKETED CASES

Mail to: Federal Communications Commission
Dockets Branch
1919 M Street, N.W., Room 230
Washington, DC 20554

1. Licensee's/Permittee's/Attorney's Name:

Dennis J. Kelly
CORDON AND KELLY

2. Street Address or Post Office Box:

Post Office Box 6648

3. City, State, and ZIP Code:

Annapolis, Md. 21401

4. Docket or Rulemaking Number(s):

MM Docket No. 92-183

Section 1.5 of the Commission's Rules requires an attorney to keep the Commission informed of any change in mailing address in order that the station may be served documents or other official papers without delay.

Only one mailing address can be maintained for each applicant.

Due to lack of space in the computer the mailing address cannot contain an individual name (unless the licensee/permittee is an individual).

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "Notice of Appearance" were served by hand on this 8th day of September, 1992 upon the following:

Honorable Edward J. Kuhlmann
Administrative Law Judge
Federal Communications Commission
Washington, DC 20554

Charles Dziedzic, Esquire
Chief, Hearing Branch
Mass Media Bureau
Federal Communications Commission
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Dennis J. Kelly